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7 **UNITED STATES DISTRICT COURT**
8 **DISTRICT OF NEVADA**
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10 UNITED STATES OF AMERICA,
11 Plaintiff,
12 THE PYRAMID LAKE PAIUTE TRIBE
OF INDIANS,
13 Petitioner,
14 v.
15 ORR WATER DITCH CO., *et al.*,
16 Defendants.
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Case No. 3:73-cv-00003-LDG
In Equity 73-3

ORDER

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19 Eighteen parties move for partial final judgment pursuant to Fed. R. Civ. Pro. 54(b)
20 (#1552) that *may* concern the Petition originally filed by Pyramid Lake Paiute Tribe of
21 Indians on April 7, 1993, in this, the *Orr Ditch* litigation.

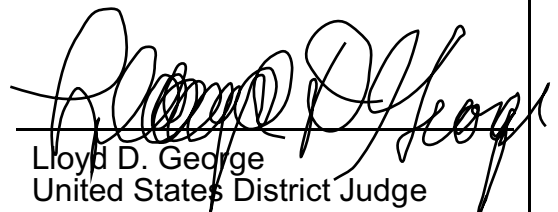
22 These parties have filed an identical motion and an identical memorandum in the
23 litigation concerning the Tribe's *Alpine* Petition. Specifically, the parties preface their
24 documents with a note that suggests the arguments presented in both motions are identical
25 and that, "unless expressly stated otherwise, the facts recited in this Memorandum
26 reference filings and orders submitted in the Alpine Litigation." Though the legal

1 arguments may be identical, the facts cannot be identical. While the Tribe may have
2 served a party with its *Alpine* Petition regarding a claim against water rights appurtenant to
3 certain land, such fact is irrelevant to whether partial final judgment is appropriate as to a
4 claim alleged in the *Orr Ditch* Petition.

5 Accordingly,

6 THE COURT **ORDERS** that the Motion for Partial Final Judgment (#1552) is
7 DENIED without prejudice.

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9 DATED this 20 day of March, 2014.

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12 Lloyd D. George
13 United States District Judge
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